

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA, ex rel.
JOHN M. GREABE,**

Plaintiffs

v.

**BLUE CROSS BLUE SHIELD ASSOCIATION
and ANTHEM BLUE CROSS BLUE SHIELD
OF NEW HAMPSHIRE**

Defendants

Civil Action No. 04-11355 MEL

**RELATOR'S MOTION TO FILE REPLY TO DEFENDANTS' JOINT
OPPOSITION TO RELATOR'S MOTION TO FILE A SECOND
AMENDED COMPLAINT**

NOW COMES Relator, John M. Greabe, by undersigned counsel, and moves for leave to file a reply to defendants' Joint Opposition to Relator's Motion to File a Second Amended Complaint. In support of this motion, Relator states as follows:

1. Relator believes that a short reply would assist the Court. Relator also believes that a reply is necessary to correct any misimpression that may be created by the misdescription of Relator's claims, and of the relevant legal precedent, contained in defendants' Joint Opposition.
2. The reply that Relator seeks to file is attached to this motion as Exhibit 1.
3. Counsel for Anthem Blue Cross/Blue Shield of NH assents to the filing of this Motion for Leave to Reply; Counsel for the United States Attorneys' Office assents to the filing of this Motion for Leave to Reply; Relator has

sought, but has been unable to obtain defendant Blue Cross/Blue Shield Association's consent to the relief requested in this motion.

WHEREFORE, Relator John M. Greabe respectfully requests that this Honorable Court:

- A. Grant Relator leave to file the attached reply; and
- B. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

Relator, John M. Greabe

By his attorneys,

WIGGIN & NOURIE, P.A.

By: /s/ Richard B. McNamara
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to File Reply has been forwarded to all counsel of record pursuant to the Court's rules and procedures concerning electronic filing. Any persons not receiving notification through ECF as noted on the Notification of Electronic Filing will be conventionally served via first class mail, postage prepaid:

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